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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/899,265
Filing Date: July 06, 2001
Appellant(s): SULTAN ET AL.

_____
Kent Daniels
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed August 15, 2008 appealing from the Office action

mailed October 30, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,275,492   Zhang   8-2001

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-8, 10-15, 17-25, and 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhang (US Patent No. 6,275,492).

3.   As per claim 1, Zhang teaches a method of enabling policy-based traffic forwarding in a data network having at least two area border routers (ABR), the method comprising steps of:

generating a link stat advertisement (LSA) message **(column 3, line 25)**, and asserting a route tag in respect of the generated LSA message **(column 1, lines 54-60, column 4, lines 59-67)** and

at each ABR receiving the LSA message, controlling propagation of the received LSA, into an area of the data network hosted by the ABR, based on a respective forwarding policy having a match criteria corresponding to the asserted route tag **(column 1, lines 54-60, column 4, lines 33-49, fig 3, element 76)**;

wherein the respective forwarding policy of a first ABR differs from that of a second ABR, such that the received LSA message is flooded into the area hosted by the first ABR and not flooded into the respective area hosted by the second ABR **(column 3, line 42-column 4, line 22)**.

4.   As per claim 2, Zhang teaches the data network is an Open Shortest Path first (OSPF)

network **(column 3, line 5).**

5.   As per claim 3, Zhang teaches a route tag comprises one of: an internal route tag

associated with an address located within an autonomous system of the data network; and an

external route tag associated with an address located outside the autonomous system **(column**

1, line 54-60, column 4, line 59-67).

6.   As per claim 4, Zhang teaches the step of asserting a route tag comprises steps of:

setting a route tag value respecting the LSA; and inserting the route tag value into a

predetermined field of the LSA **(column 1, line 54-60, column 4, line 59-67).**

7.   As per claim 5, Zhang teaches wherein the route tag value is set by a policy having a

match criteria corresponding to a predetermined attribute of the LSA **(column 1, line 54-60,**

column 4, line 59-67).

8.   As per claim 6, Zhang teaches wherein the predetermined attribute comprises any one

or more of: a source address; a source area; a destination address; and a destination area

(column 1, line 54-60, column 4, line 59-67).

9.   As per claim 7, Zhang teaches the step of inserting the route tag comprises a step of

inserting the route tag value into an external route tag field of the generated LSA **(column 1,**

line 54-60, column 4, line 59-67) wherein the generated LSA is a Type-5 LSA **(column 3,**

lines 4-15. multiple types of LSAs, including Type-5, are well known to be inherent in

OSPF environment).

10.   As per claim 8, Zhang teaches the step of inserting the route tag comprises a step of

inserting the route tag value into an internal route tag field **(column 1, line 54-60, column 4,**

line 59-67) of a modified Type-3 LSA **(column 3, lines 4-15. multiple types of LSAs,**

including Type-3, are well known to be inherent in OSPF environment).

11.   As per claim 10, Zhang teaches the forwarding policy corresponds to one of: a pass

decision, in which the LSA is forwarded to a downstream link; and a discard decision, in which

the LSA is discarded without forwarding **(column 4, lines 10-50; routing table used to**

determine whether to forward a packet).

12.   As per claims 11 and 27, wherein implementation of the forwarding policy further

comprises a step of updating a forwarding table using information contained in the LSA as either

one of: an inclusion route and an exclusion route **(column 1, lines 25-53; information from**

LSA is used to update forwarding tables).

13.   As per claim 14, Zhang teaches an autonomous system border router, and an area

border router **(column 3, lines 17-21, column 4, line 19).**

14.   As per claims 12-13, 15, 17-25, 28-31, these claims contain similar limitations as claims

1-8, 10-11, above, therefore are rejected under the same rationale.

(10) Response to Argument

        It is initially noted that according to the MPEP CH. 2111, **claims must be given their**

broadest reasonable interpretation consistent with the specification.

        Argument: *Zhang fails to teach "the respective forwarding policy of a first ABR differs*

from that of a second ABR such that the received LSA message is flooded into the area hosted

by the first ABR and not flooded into the respective area hosted by the first ABR and not flooded

into the respective area hosted by the second ABR". Zhang fail to teach "controlling propagation

of a received link state advertisement message into an area of the data network hosted by the

the ABR using a respective forwarding policy having a match criteria corresponding to the

asserted route tag".

        In response, the Examiner respectfully disagrees. Zhang is directed to the routing of

data (including link state advertisements (LSAs)) using area routers by using matching criteria.

The routers advertise the LSAs into the designated network area in which the router resides.

The routers do not advertise LSAs into undesignated network areas (**see at least abstract,**

column 1, lines 1-41). The routing can be implemented by using "tag switching" which forwards

data packets based on tags inserted into the data packet. The router can then use a "tag table"

to lookup the tag. Each tag in the tag table is bound to a route **(se at least column 1, lines 54-**

64). Figure 1 shows multiple routers, each router responsible for a portion of the network and

only advertise LSAs into its respective network area. **(see at least figure 1, column 3, lines**

15-41). When a router receives a data packet, it determines from the route tag whether the data

packet is destined for its domain by matching the switch tag information to its own information. If

the data packet is not destined for its domain, the data packet is then sent to a router of a

different domain **(see at least column 5, line 55-column 6, lines 24).** Therefore Zhang

teaches the clamed limitation of the respective forwarding policy of a first ABR differs from that

of a second ABR such that the received LSA message is flooded into the area hosted by the

first ABR and not flooded into the respective area hosted by the first ABR and not flooded into

the respective area hosted by the second ABR.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related

Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Ramsey Refai

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